

**No. 24-2355**

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

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PAYSERVICES BANK,

*Plaintiff-Appellant,*

v.

FEDERAL RESERVE BANK OF SAN FRANCISCO,

*Defendant-Appellee.*

On Appeal from the United States District Court  
for the District of Idaho  
No. 1:23-cv-00305-REP  
Hon. Raymond E. Patricco, Jr.

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**JOINT STATUS REPORT**

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## INTRODUCTION

In the Court's Order entered on January 24, 2025 (Docket Entry No. 52.1), the Court directed the parties to "file a status report as to the status of the appeal by February 27, 2025 and every 30 days thereafter until the resolution of the administrative appeal." In compliance with this directive, the parties state the following:

1. Appellee Federal Reserve Bank of San Francisco ("FRBSF") does not have access to the Idaho Office of Administrative Hearings motions for reconsideration briefing or the August 12, 2025 deadline order referenced below and has no updates or information regarding the status of PayServices' administrative appeal. FRBSF is only aware of the below events through PayServices' updates herein.

2. On August 5, 2025, PayServices filed the Motion for Reconsideration referenced in the July 2025 status report. On August 6, 2025, the Idaho Department of Finance (the "Department") also filed a Motion for Reconsideration with the Administrative Law Judge ("ALJ") on separate grounds. On August 11, 2025, PayServices and the Department conferred and agreed on a briefing schedule for their cross-motions for reconsideration and a date on which the ALJ's decision on the motions would be due. On August 12, 2025, the ALJ issued an order setting deadlines, which required the parties to file responses to the cross-motions for

reconsideration by August 25, 2025. The ALJ's order indicates that the decision on the motions is due September 8, 2025.

3. PayServices and the Department both timely filed their responses to the opposing party's motion on August 25, 2025. The outstanding motions remain pending with the ALJ, and the parties await a decision.

4. The Idaho Department of Finance has still not issued a final order or taken final agency action. Thus, the matter remains pending and the administrative appeal is still undecided.

5. Any further updates in this matter will be provided via a status report which will be filed 30 days from today's date.

Date: September 2, 2025

Jade A. Craig, P.A.

Simpson Thacher & Bartlett LLP

s/ Jade A. Craig

s/ Jonathan K. Youngwood

Jade A. Craig

Jonathan K. Youngwood

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## **CERTIFICATE OF FILING AND SERVICE**

I hereby certify that on this 2nd day of September, 2025, I electronically filed the foregoing with the Clerk of Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

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